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October 19, 2022

VIA ECF AND EMAIL

The Honorable John P. Cronan
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States
Courthouse
500 Pearl Street
New York, New York 10007

Re: **United States v. Terrel Haskins, et al., 21 Cr. 766 (JPC)**

Dear Judge Cronan:

I write respectfully on behalf of Defendant Justin Hampton to request a one-week extension of the deadline for Mr. Hampton to file his pre-trial materials and motions *in limine* in light of a Superseding Indictment obtained by the Government just yesterday, October 18, 2022. At approximately 7 PM yesterday, the Government emailed the Superseding Indictment including a new count against Mr. Hampton of possession of a firearm by a convicted felon in violation of 18 U.S.C. Sections 922(g)(1) and 924(a)(2). The new indictment was filed on the docket this morning. *See* ECF No. 40. The defense respectfully requests that all defense submissions be now due on October 28, but all other dates set by the Court remain in place.

The addition of this new charge impacts Mr. Hampton's pre-trial filings and motions *in limine*, which are currently due this Friday, October 21 per the Court's previous order. ECF No. 37. Specifically, the new charge will affect Mr. Hampton's proposed requests to charge the jury, proposed verdict form, and proposed *voir dire*, as well as certain motions *in limine* that Mr. Hampton is planning to file. We will also need to discuss with Mr. Hampton the addition of this new charge and its impact on the pre-trial filings and motions, which we have not yet been able to do. Consequently, Mr. Hampton requests a one-week extension of the deadline to file his pre-trial materials and motions *in limine* until Friday, October 28, 2022. Because this request is a result of the Government's unilateral decision to obtain a Superseding Indictment and add a new charge three days before the existing pre-trial-filing deadline, Mr. Hampton submits that the Government

should still be required to make its pre-trial filings, including any motions *in limine*, by this Friday, October 21, 2022. Mr. Hampton also submits that, given the Court's previously indicated scheduling constraints in the month of November, opposition dates for motions *in limine* should remain the same for both parties (November 4, 2022), as should the current dates for the final pre-trial conference (November 14, 2022) and the trial of this matter (November 28, 2022). The Government has indicated that the sum total of new discovery for this new count is a single email it intends to produce shortly. For this reason, Mr. Hampton seeks to keep the current November 28 trial date.

Mr. Hampton's counsel conferred with the Government this morning regarding the Superseding Indictment, an arraignment date, and Mr. Hampton's intention to request an extension of his pre-trial-filing deadline. The Government indicated that it did not oppose an extension of the pre-trial-filing deadline by one week until October 28, 2022, but that it did oppose the request to the extent that the Government's filing deadline would not also be extended. But for the reasons set forth above, and due to the Government's decision to supersede at the last minute, the defense respectfully requests that its submissions be due on October 28 and all other dates remain in place.

Respectfully submitted,



Marc L. Greenwald

cc: Madison Reddick Smyser, Esq. (by ECF and email)
Brandon Thompson, Esq. (by ECF and email)

Defendant Hampton's request is granted in part. The deadline for both parties' pretrial filings and motions *in limine* is adjourned to October 28, 2022. All other deadlines will remain in place.

SO ORDERED.

October 19, 2022
New York, New York

JOHN P. CRONAN
United States District Judge